

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS

IN RE: YASMIN AND YAZ
(DROSPIRENONE) MARKETING, SALES
PRACTICES AND PRODUCTS LIABILITY
LITIGATION

)
) 3:09-md-02100-DRH-PMF
)
) MDL No. 2100
)

This Document Relates to:

Pamela Charton v. Bayer Corp., et al.

No. 3:11-cv-10938-DRH-PMF

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

This matter is before the Court on Defendant Bayer HealthCare Pharmaceuticals Inc.'s ("Bayer") motion for an Order dismissing plaintiff's claims without prejudice for failure to file an appearance as required by this Court's Order and Local Rule 83.1(g)(2). Bayer filed this motion on August 28, 2013. To date, the plaintiff has not filed a responsive pleading.

On July 17, 2013, this Court granted the plaintiff's counsel's Motion for Leave to Withdraw as Counsel (and denying continuance of discovery deadline)(Doc. 8). Plaintiff's Counsel timely served a copy of the Order on all counsel of record and unrepresented parties as required by Local Rule 83.1 and as stated in the Order (Doc. 9).

The Order provided that, "[i]f plaintiff or her new counsel fails to file a supplementary entry of appearance within 21 days of the entry of this Order, plaintiffs' actions will be subject to dismissal without prejudice under Federal Rule of Civil Procedure 41(b) for failure to prosecute or to comply with the Orders

of this Court including failure to comply with the Plaintiff Fact Sheet requirements.” To date, and in violation of the Order and Local Rule 83.1(g), the plaintiff has not filed a supplementary appearance.

The plaintiff must comply with the Local Rules and this Court’s orders. Fed. R. Civ. P. 41(b).

Accordingly, for the reasons stated herein, the claims of the plaintiff are hereby dismissed without prejudice.

So Ordered:

  David R. Herndon
2013.10.29
07:00:21 -05'00'

Chief Judge
United States District Court

Date: October 29, 2013.